

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1706 OF 2006

Siddharth Srivastava

....Applicant.

V/s

The State of Maharashtra

....Respondent.

Mr. Mishra i/b Ms. Law Global for the applicant.

Mr. Y.S. Shinde, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 27th April 2006

P.C.

1. Heard the learned Counsel for the applicant and
the learned APP for the State.

2. This is an application for cancellation of
non-bailable warrant which has been issued by the
Metropolitan Magistrate on the complaint which is
filed under section 138 of the Negotiable Instruments
Act.

3. The learned Counsel for the applicant submits that
he could not remain present in the trial court on
account of personal difficulty. He submits that two
weeks stay to the non-bailable warrant may be granted
in order to enable him to apply before the learned
Magistrate.

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4. It is not possible to accept the said submission. It is always open for the applicant to file an application for exemption through his advocate. Admittedly, the said application was not preferred. Secondly, the applicant can verywell approach the learned Magistrate and apply for cancellation of the non-bailable warrant. No case is made out to interfere with the order of the learned Magistrate.

The application is, therefore, rejected.

5. Application is accordingly disposed of.

V.M. KANADE, J.